

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

UNITED STATES OF AMERICA,)
 Plaintiff,)
vs.) 2:02-cr-00585-LRH (PAL)
ROBERT T. WHITECLOUD,)
 Defendant.)
)

WHEREAS, the Defendant appeared before the court upon a petition for revocation of supervised release on November 20, 2006, and

WHEREAS, the court revoked his supervised release and sentenced him to the maximum available term of imprisonment of twenty-four (24) months, and further ordered that he thereafter serve a term of supervised release of thirty-six (36) months or the maximum time available, and,

WHEREAS, the Defendant's convictions were upon Class C and D felonies upon which a revocation of supervised release may not be more than two (2) years in prison, 18 U.S.C. § 3583(e), and

WHEREAS, in consideration of the Defendant's history of recidivism and extreme failure of compliance with supervised release, a term of further supervised release following the Defendant's imprisonment appears to be unenforceable without the threat and sanction of further imprisonment,

IT IS HEREBY ORDERED that the court's sentence is modified with regard to the term of supervised release and that Defendant's term of supervised release following his twenty-four

1 (24) months imprisonment for revocation of supervised release shall be zero (0). Otherwise
2 stated, Defendant's supervised release is revoked, he is sentenced to twenty-four (24) months
3 imprisonment upon such revocation and upon release from imprisonment, there shall be no
4 further term of supervised release.

5 The court having considered all of the factors identified in 18 U.S.C. § 3553(a)(1)-(7), the
6 court finds the sentence of twenty-four (24) months imprisonment to be sufficient, but not greater
7 than necessary, to comply with the purposes of sentencing as set forth in 18 U.S.C. § 3553(a).

8 IT IS SO ORDERED.

9 DATED this 14th day of December, 2006.



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11 LARRY R. HICKS
12 UNITED STATES DISTRICT JUDGE
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